

Application for Change/Transfer of Water Right

For Filing Use
(Date Stamp)



For filing with the Department of Ecology or with County Conservancy Boards

**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 MUST ACCOMPANY THIS APPLICATION
IF FILED WITH THE DEPARTMENT OF ECOLOGY**

(Check all that apply.)

- ☐ Change purpose(s) of use
- ☐ Add purpose(s) of use
- ☐ Change point(s) of diversion/withdrawal
- ☒ Add point(s) of diversion/withdrawal
- ☐ Change/transfer place of use
- ☐ Other (i.e. consolidation, intertie, trust water)

Explain: The current diversion point (2) is no longer safe to operate.

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL
SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

FOR OFFICIAL USE ONLY

DATE APPLICATION RECEIVED 03-29-2013
CHECK NO. 6 FEE \$ 0
DATE ACCEPTED 04-02-2013 BY 2
CHANGE NO. C54-02203 sb 29
COUNTY BENTON WRIA 37
SPECIAL AREA _____

SEPA: ☐ EXEMPT ☐ NOT EXEMPT

ECY CODING: 001-002-WR10285-000011

APP NO. _____ PERMIT NO. _____

CERT NO. _____ CERT OF CHG NO. _____

☐ I have participated in a pre-application conference with Ecology.

1. Applicant Information

APPLICANT/BUSINESS NAME Exit 88 Orchard Estates LLC	PHONE NO. (509) 551-2435	FAX NO.
ADDRESS PO Box 349		
CITY Cheney	STATE WA	ZIP CODE 99004
EMAIL ADDRESS (IF AVAILABLE) jpoutwest@aol.com		

CONTACT (IF DIFFERENT FROM ABOVE) Jim Parker	PHONE NO. (509) 551-2435	FAX NO.
ADDRESS PO Box 349		
CITY Cheney	STATE WA	ZIP CODE 99004
EMAIL ADDRESS (IF AVAILABLE) jpoutwest@aol.com		

COURT CLAIM 02203
SUB 29 MASTON PRESSER
06-30-1890
CFO = 54-84088-J
ECY 040-1-97 (Rev. 02/12)

C54-02203 sb 29

BENT-13-03

LEGAL LAND OWNER or PART OWNER OF PROPOSED PLACE OF USE Exit 88 Orchard Estates LLC	PHONE NO. (509) 551-2435	FAX NO.
ADDRESS PO Box 349		
CITY Cheney	STATE WA	ZIP CODE 99004
EMAIL ADDRESS (IF AVAILABLE) jpoutwest@aol.com		

2. Water Right Information

WATER RIGHT OR CLAIM NUMBER Certificate #S4-84088-J; Court Claim #02203	RECORDED NAME(S) Exit 88 Orchard Estates LLC
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS: _____	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Diversion 1 (Cherries)	1	SW	NW	24	9N	25E	124952010975003	
Diversion 2 (Grapes) <i>(Existing)</i>	2	SW	NW	24	9N	25E	12495201097701	

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Use Existing Diversion 1 for Grapes	1	SW	NW	24	9N	25E	124952010975003	
<i>Proposed with #1 → Existing Is Diversion #2</i>								

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☒ YES ☐ NO PROPOSED: ☒ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME: _____

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 13 Acres	0.179 CFS	65 A-Ft/Yr	April 15 to November 15

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Same as existing			

5. Place of Use:**A. Existing**

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
Lots 1 and 2 of Short Plat #977							
Lots 1, 2, 3 & 4 of Short Plat #3024							
<i>All within.</i>							
1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
SE	NW	24	9N	25E	Benton	Multiple	17.41
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO							
IF NO, PROVIDE OWNER(S) NAME: _____							

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
Same as existing.							
1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? <input type="checkbox"/> YES <input type="checkbox"/> NO							
IF NO, PROVIDE OWNER(S) NAME: _____							

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO - IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): _____	

6. Remarks and Other Relevant Information:

Over the past several years Diversion Point #2, which is located on the inside of a river bend, has turned in to a large underwater sand-bar that continues to grow by the year. To access water, irrigation lines must be installed over the underwater sand bar and in to *rapids* of the Yakima River. It is a very dangerous procedure. The irrigation lines also pose a danger to boaters and swimmers. By moving the Diversion Point #2 up-river approximately 475' to *existing* Diversion Point #1, this will eliminate the problem. There are no other water right holders between the two diversion points. Both existing Diversions as well as all land in between the two diversion points is currently owned by the applicant herein.

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request. For further information, contact: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477. Phone (360) 570-3265.

7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I hereby grant staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in preparing this above application, I understand that all responsibility for the accuracy of the information rests with me.

James Parker-Managing Member

Applicant Printed Name – Title


Applicant Signature

03/25/2013

(Date)

Exit 88 Orchard Estates LLC

Water Right Holder Printed Name


Water Right Holder Signature

(Date)

03/25/2013

Exit 88 Orchard Estates LLC

Land Owner of Existing Place of Use Printed Name



Land Owner of Existing Place of Use Signature

03/25/2013

(Date)

Exit 88 Orchard Estates LLC

Owner of Proposed Point of Diversion Printed Name


Owner of Proposed Point of Diversion Signature

03/25/2013

(Date)

Please check the region in which the project is located:

<p>*Submit your application to:</p> <p>DEPARTMENT OF ECOLOGY CASHIERING SECTION PO BOX 47611 OLYMPIA, WA 98504-7611</p>	<input checked="" type="checkbox"/> Central Regional Office 15 W Yakima Avenue, Suite 200 Yakima, WA 98902 (509) 575-2490	<input type="checkbox"/> Eastern Regional Office 4601 N. Monroe Street Spokane, WA 99205-1295 (509) 329-3400
	<input type="checkbox"/> Northwest Regional Office 3190 – 160 th Avenue SE Bellevue, WA 98008-5452 (425) 649-7000	<input type="checkbox"/> Southwest Regional Office PO Box 47775 Olympia, WA 98504-7775 (360) 407-6300

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ APPLICATION FEE NOT ENCLOSED
 ☐ MAP NOT INCLUDED or INCOMPLETE
☐ ADDITIONAL SIGNATURES REQUIRED
 ☐ SECTION _____ IS INCOMPLETE
☐ OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____/____/____